



09-01-06

TFW 2613

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number

09/550,649

Filing Date

April 17, 2000

First Named Inventor

Jarod GUERTIN et al.

Art Unit

2613

Examiner Name

David S. Kim

Attorney Docket Number

10.0029

ENCLOSURES (Check all that apply)☒ Fee Transmittal Form (2 copies)☒ Fee Attached☒ Amendment/Reply (Non-Final)☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD

Remarks

Return Receipt Postcard
Express Mail Certificate☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
below):The PTO did not receive the following
listed item(s) Any Fee**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

DOUGHERTY CLEMENTS

Signature

Printed name

Christopher L. Bernard

Date

8-31-2006

Reg. No.

48,234

CERTIFICATE OF TRANSMISSION/MAILING

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Barbara C. Brown

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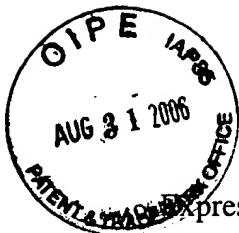
Barbara C. Brown

Date

8-31-2006

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Date of Deposit: - August 31, 2006

Type of Document(s): - Transmittal Form (PTO/SB/21)
- Amendment and Response to Non-Final Office Action
(16 pages)
- Postcard Receipt

Application No.: - 09/550,649

Filed: - April 17, 2000

Applicant(s): - Jarod GUERTIN et al.

Title: - METHOD OF TESTING BIT ERROR RATES FOR A
WAVELENGTH DIVISION MULTIPLEXED
OPTICAL COMMUNICATION SYSTEM

Examiner: - David S. Kim

Art Unit: - 2613

Attorney Docket No.: - 10.0029

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.**

Barbara C. Brown
Barbara C. Brown
North Carolina State Bar/Certified Paralegal



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)) Jarod GUERTIN et al.
Application No.) 09/550,649
Filing Date) April 17, 2000
Title) METHOD OF TESTING BIT ERROR RATES FOR A
WAVELENGTH DIVISION MULTIPLEXED
OPTICAL COMMUNICATION SYSTEM
Examiner) David S. Kim
Art Unit) 2613

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450 USA

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir/Madam:

In response to the non-final Office Action mailed June 2, 2006, rejecting Claims 1-22 of the above-referenced Application, in which Claims 1-22 are pending, Applicants respectfully request that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicants submit that the Application is now in condition for allowance and respectfully request such action.